

**IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

TRACY KING, CHANCE MICKIEL,	)	
JACKLIN MICKIEL, ROBERT	)	
MICKIEL, STEVEN MICKIEL,	)	
NICHOLAS MICKIEL, STACY M.	)	
MICKIEL	)	
Plaintiffs,	)	Case No.: 08 C 7174
	)	
v.	)	JUDGE ST. EVE
	)	
WASIM M. SAID, Star # 10192, ERIC R.	)	MAGISTRATE JUDGE NOLAN
RUHNKE, Star #13698, TODD E.	)	
WITULSKI, Star # 15592, STEPHEN E.	)	
BOYD, Star #12598, DAVID A.	)	
BROWN, Star 15887, KEVYN L. LOTT,	)	
Star #11296, JAMES D. FRANKLIN,	)	
Star #15170, MARION D. ANDERSON,	)	
Star # 16133, ELVIN H. BOONE, Star	)	
#1964, ERIKA A. RODRIGUEZ, Star #	)	
11057, CHARLES J. BARANGO, Star #	)	
15937, STEVEN A. GIMENEZ, Star	)	
#17998, KENNETH G. JOHNSON, Star	)	
#14, and The City of Chicago.	)	
	)	
Defendants.	)	

**PLAINTIFFS' NOTICE OF ACCEPTANCE OF  
DEFENDANTS' OFFER OF JUDGMENT**

NOW COME the Plaintiffs, TRACY KING, CHANCE MICKIEL, JACKLIN MICKIEL, ROBERT MICKIEL, STEVEN MICKIEL, NICHOLAS MICKIEL and STACY M. MICKIEL (collectively referred to herein as the "Plaintiffs") by and through their attorneys, ED FOX & ASSOCIATES, and hereby accept the Defendants' Offer of Judgment sent on March 26, 2010 attached hereto as Exhibit A.

Respectfully submitted,

s/Jonathan R. Ksiazek

Jonathan R. Ksiazek

ED FOX & ASSOCIATES

300 W. Adams Street

Suite 330

Chicago, IL 60606

(312) 345-8877

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NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

TRACY KING, CHANCE MICKIEL,  
JACKLIN MICKIEL, ROBERT  
MICKIEL, STEVEN MICKIEL,  
NICHOLAS MICKIEL, STACY M.  
MICKIEL

Plaintiffs,

v.

WASIM M. SAID, Star # 10192, ERIC R.  
RUHNKE, Star #13698, TODD E.  
WITULSKI, Star # 15592, STEPHEN E.  
BOYD, Star #12598, DAVID A.  
BROWN, Star 15887, KEVYN L. LOTT,  
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#14, and The City of Chicago.

Defendants.

Case No.: 08 C 7174

JUDGE ST. EVE

MAGISTRATE JUDGE NOLAN

**NOTICE OF FILING**

To: Gail Reich  
Assistant Corporation Counsel  
30 North LaSalle Street, Room 900  
Chicago, IL 60602

PLEASE TAKE NOTICE that on April 13, 2010, the undersigned filed with the Clerk of this Court, **PLAINTIFFS' NOTICE OF ACCEPTANCE OF DEFENDANTS' OFFER OF JUDGMENT**, service of which is being made upon you.

s/Jonathan R. Ksiazek  
Jonathan R. Ksiazek  
ED FOX & ASSOCIATES  
300 West Adams, Suite 330  
Chicago, IL 60606  
(312) 345-8877

**PROOF OF SERVICE**

I, Jonathan R. Ksiazek, an attorney, under penalty of perjury, and state that on April 13, 2010, service is being made in accordance with the General Order on Electronic Case Filing section XI.

s/Jonathan R. Ksiazek  
Jonathan R. Ksiazek

# **EXHIBIT A**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

TRACY KING, CHANCE MICKIEL,	)	
JACKLIN MICKIEL, ROBERT	)	Case No. 08 C 7174
MICKIEL, STEVEN MICKIEL,	)	
NICHOLAS MICKIEL, STACY M.	)	
MICKIEL,	)	
	)	
Plaintiffs,	)	
	)	JUDGE ST. EVE
v.	)	
WASIM M. SAID, Star #10192, ERIC R.	)	
RUHNKE, Star #13698, TODD E.	)	Magistrate Judge Nolan
WITLULSKI, Star #15592, STEPHANIE E.	)	
BOYD, Star #12598, DAVID A.	)	
BROWN, Star 15887, KEVYN L. LOTT,	)	
Star #11296, JAMES D. FRANKLIN,	)	
Star #15170, MARION D. ANDERSON,	)	
Star #16133, ELVIN H. BOONE, Star	)	
#1964, ERICKA A. RODRIGUEZ, Star #	)	
11057, CHARLES J. BARANGO, Star #	)	
15937, STEVEN A. GIMENEZ, Star	)	
#17998, KENNETH G. JOHNSON, Star	)	
#14, and The City of Chicago,	)	
	)	
Defendants.	)	

**OFFER OF JUDGMENT**

Defendants, the City of Chicago, by its attorney, Mara S. Georges, Corporation Counsel for the City of Chicago, and Wasim Said, Erik Ruhnke, Todd Witulski, Stephen Boyd, David Brown, Kevyn Lott, James Franklin, Marion Anderson, Elvin Boone, Erika Rodriguez, Charles Barango, Steven Gimenez, and Kenneth Johnson, by their attorney, Gail L. Reich, Assistant Corporation Counsel of the City of Chicago, make the following offer of judgment to Plaintiffs Tracy King, Chance Mickiel, Jacklin Mickiel, Robert Mickiel, Steven Mickiel, Nicholas Mickiel, and Stacy King (a/k/a Stacy Mickiel) pursuant to Fed. R. Civ. P. 68.

1. Defendants City of Chicago, Wasim Said, Erik Ruhnke, Todd Witlowski, Stephen Boyd, David Brown, Kevyn Lott, James Franklin, Marion Anderson, Elvin Boone, Erika Rodriguez, Charles Barango, Steven Gimenez, and Kenneth Johnson offer to allow judgment to be taken against them collectively and in favor of:

A. Plaintiff Tracy King, in the amount of SIX THOUSAND AND THREE AND NO/100 (\$6003.00) DOLLARS; and

B. Plaintiff Chance Mickiel, in the amount of SIX THOUSAND AND THREE AND NO/100 (\$6003.00) DOLLARS; and

C. Plaintiff Jacklin Mickiel, in the amount of TWO THOUSAND FIVE HUNDRED AND THREE AND NO/100 (\$2503.00) DOLLARS; and

D. Plaintiff Robert Mickiel, in the amount of SIX THOUSAND AND THREE AND NO/100 (\$6003.00) DOLLARS;

E. Plaintiff Steven Mickiel, in the amount of SIX THOUSAND AND THREE AND NO/100 (\$6003.00) DOLLARS; and

F. Plaintiff Nicholas Mickiel, in the amount of SIX THOUSAND AND THREE AND NO/100 (\$6003.00) DOLLARS; and

G. Plaintiff Stacy King (a/k/a Stacy Mickiel), in the amount of TWO THOUSAND FIVE HUNDRED AND THREE AND NO/100 (\$2503.00) DOLLARS.

This offer of judgment is inclusive of all reasonable attorney's fees and costs accrued as of the date of this offer (March 26, 2010).

2. This offer of judgment is inclusive of all claims Plaintiffs have or may have against Defendants Wasim Said, Erik Ruhnke, Todd Witulski, Stephen Boyd, David Brown, Kevyn Lott, James Franklin, Marion Anderson, Elvin Boone, Erika Rodriguez, Charles Barango,

Steven Gimenez, and Kenneth Johnson, the City of Chicago, and any other current or former employees or agents of the City of Chicago, arising from the incident or injuries alleged in Plaintiffs' complaint or any amendment thereof. Nothing in this offer of judgment shall be construed as an admission of liability by any defendant.

3. This offer of judgment is conditioned upon each plaintiff accepting the offer of judgment as to each defendant. Acceptance of this offer of judgment by fewer than all plaintiffs and against fewer than all defendants shall be deemed a rejection of this offer.

4. Pursuant to Fed. R. Civ. P. 68, an offer not accepted within ten (10) days after service of the offer shall be deemed withdrawn and evidence thereof is not admissible except in a proceeding to determine costs.

DATED this 26th day of March, 2010.

A handwritten signature in blue ink, appearing to read "Gail Reich", is written over a horizontal line.

GAIL REICH  
Assistant Corporation Counsel  
Attorney for Defendants  
30 North LaSalle Street  
Room 900  
Chicago, Illinois 60602  
(312) 744-1975



**CERTIFICATE OF SERVICE**

I hereby certify that I have caused a true and correct copy of the above and foregoing  
**OFFER OF JUDGMENT** to be faxed and hand delivered to the following person(s) at the  
address(es) shown below on this 26th day of March, 2010.

Ed Fox  
Jonathan Ksiazek  
Ed Fox & Associates  
300 W. Adams, Suite 330  
Chicago, IL 60606

  
Gail L. Reich